



CALIFORNIA STATE PERSONNEL BOARD

801 Capitol Mall • Sacramento, California 95814 • www.spb.ca.gov

ARNOLD SCHWARZENEGGER, Governor



SUMMARY MINUTES – APRIL 22, 2008

Public and Closed Session Location

801 Capitol Mall, Room 150
Sacramento, CA 95814

PUBLIC SESSION OF THE STATE PERSONNEL BOARD

1. ROLL CALL

MEMBERS PRESENT:

Sean Harrigan, President
Richard Costigan, Vice President
Maeley Tom, Member

2. REPORT OF THE EXECUTIVE OFFICER
- Suzanne M. Ambrose

- SSA Exam:
 - There are 12,348 candidates on the SSA list;
 - 619 hires have been made off of the list since August.
- SPB's Assembly Budget Hearing is this afternoon; all of SPB's items are on consent.
- SPB's Senate Budget Hearing was held on April 7th. Several items were held open for follow up information regarding peace officer hires in the Department of Corrections and Rehabilitation and the California Highway Patrol. Two positions in the Statewide Training Program and two Information Technology positions were approved.
- The Workforce Planning Conference that SPB co-sponsored with DPA was successful; there were over 300 total participants, with department directors and executives attending the morning session, and human resources staff attending the afternoon session.
- SPB staff met with Secretary Johnson of the California Department of Veterans Affairs (CDVA) to discuss hiring challenges in CDVA facilities throughout the state. The CDVA is interested in participating in the Limited Three Ranks task force.
- Carol Ong has been named the new Chief of Legislative and Public Affairs. Carol has extensive program knowledge and SPB wishes her the best of luck in her new position.

3. REPORT OF THE CHIEF COUNSEL
- Elise S. Rose

- The California Supreme Court issued a decision holding that departments must give peace officers notice of investigation that may lead to general discipline within one year and serve the specific discipline within 30 days after the end of the one year period. This is contrary to the Board's prior decisions, wherein the Board held departments must give notice of investigation and the specific discipline that the officer may be subject to.

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- The Court of Appeals recently upheld the Board's decision sustaining the discipline for Cletus Curragh.
- The Receiver recently filed his motion for waiver of state law regarding Physician Clinical Competency Determinations.

4. REPORT ON LEGISLATION

- Stephanie Ramirez-Ridgeway

- On April 14, 2008, SPB's CEA bill, SB 1472, was voted out of the Senate Committee on Public Employment & Retirement on a 3-0 vote. SPB staff testified at the committee hearing; Senators Wiggins, Ashburn and McClintock were aye votes with Senators Migden and Negrete McLeod abstaining. The bill will be heard in appropriations on Monday, April 29th and, because it is a no cost bill, staff believes it will be approved in appropriations and will reach the Senate floor.
- SEIU has expressed concerns about both SPB-sponsored bills, AB 3042 and SB 1472. Staff has a meeting scheduled with SEIU representatives for Wednesday, April 23rd at 1:00 p.m. to discuss those concerns.
- Additionally, staff has set a meeting on April 25th with SEIU representatives and legislative staff regarding AB 2635, which would require the SPB to establish the SEEAP program to facilitate the hiring of severely disabled individuals.

5. NEW BUSINESS

NONE

6. HEARING – DEPARTMENT OF TRANSPORTATION'S CAREER EXECUTIVE ASSIGNMENT (CEA) PROPOSALS UNDER CONSIDERATION (Multiple Districts)

- **Mike Strazzo, Chief, Merit Operations Division, State Personnel Board**
- **Gerald James, Labor Relations Counsel, Professional Engineers in California Government (PECG)**
- **Judy O'Day, Human Resources Division Chief, Department of Transportation**
- **Anne Barsoti, Deputy Chief of Administration, Department of Transportation**

Staff from the Professional Engineers in California Government (PECG) requested a hearing to discuss multiple CEA proposals that were listed on the March 25, 2008, State Personnel Board Agenda.

ACTION: SUBMITTED

7. **HEARING – CA STATE PERSONNEL BOARD AND DEPARTMENT OF BOATING AND WATERWAYS**
- CA State Personnel Board Staff
 - CA Department of Boating and Waterways

Proposed revision to Aquatic Pest Control Technician Series Specification to update language and revise Alternate Range Criteria 363.

ACTION: WITHDRAWN

8. **INFORMATIONAL BRIEFING – PSYCHIATRIST SPECIFICATIONS**

Revisions to the Minimum Qualifications for the Staff Psychiatrist, Senior Psychiatrist, Senior Psychiatrist (Specialist), Senior Psychiatrist (Supervisor), Chief Psychiatrist, Correctional and Rehabilitative Services (Safety) Classifications were adopted by the Board on February 22, 2008. The proposal was adopted with the understanding that the department and union would report back to the board within 60 days to advise on whether or not further job specification revisions should be proposed.

- **Dr. Andrew Swanson, Chief Psychiatrist, Division of Correctional Healthcare Services, Department of Corrections and Rehabilitation**
- **Jennifer Nolan, Manager, Office of Personnel Services, Department of Corrections and Rehabilitation**
- **Zegory Williams, Senior Representative, Union of American Physicians and Dentists (UAPD)**

ACTION: The department and union updated the board as to their negotiations regarding additional changes to the classification. The parties informed the board that they had reached an agreement to address the union's concerns. Noted into the record.

CLOSED SESSION OF THE STATE PERSONNEL BOARD

9. **EMPLOYEE APPOINTMENTS, DISCIPLINARY MATTERS, AND OTHER APPEALS**

Deliberations to consider matters submitted at prior hearing.
[Government Code Sections 11126(c)(3), 18653(3).]

10. **DELIBERATION ON NON-EVIDENTIARY CASES AND ADVERSE ACTIONS, DISCRIMINATION COMPLAINTS, AND OTHER PROPOSED DECISIONS SUBMITTED BY ADMINISTRATIVE LAW JUDGES**

Deliberations on proposed, rejected, remanded, and submitted decisions, petitions for rehearing, and other matters related to cases heard by

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Administrative Law Judges of the State Personnel Board or by the Board itself.

[Government Code Sections 11126(c)(3), 18653.]

11. PENDING LITIGATION

Conference with legal counsel to confer with and receive advice regarding pending litigation when discussion in open session would be prejudicial.

[Government Code sections 11126(e)(1), 18653.]

California Highway Patrol, et al. v. State Personnel Board, et al.

Sacramento Superior Court

Case No. 34-2008-00002G14-CU-WM-GDS

California Department Corrections and Rehabilitation, et al. v. State Personnel Board, et al.

Sacramento Superior Court

Case No. 34-2007-00883875-CU-WM-GDS

Patrick McCollum v. State of California

United States District Court, Northern District of California

Case No. C 04-03339 CRB

Plata, et al. v. Schwarzenegger, et al.

Case No. C01-1351 TEH

12. RECOMMENDATIONS TO THE LEGISLATURE

SUPPORT

SB 1472

NO POSITION

SB 1267

AB 2308

AB 2357

13. RECOMMENDATIONS TO THE GOVERNOR

NONE

PUBLIC SESSION OF THE STATE PERSONNEL BOARD

14. DISCUSSION OF UPCOMING BOARD MEETING SCHEDULED FOR MAY 12-13, 2008, IN SACRAMENTO, CALIFORNIA.

ACTION: NOTED

BOARD ACTIONS:

15. **ADOPTION OF THE STATE PERSONNEL BOARD SUMMARY MINUTES OF THE MARCH 25, 2008, BOARD MEETING.**

ACTION: ADOPTED

VOTE: Harrigan, Costigan, Tom – Aye

16. **ANNOUNCEMENT OF ACTION TAKEN ON EVIDENTIARY CASES**

On April 22, 2008, the Board took the following action on the cases listed, as presented by Elise S. Rose, Chief Counsel, California State Personnel Board.

VOTE: Harrigan, Costigan, Tom – Aye

A. BOARD CASES SUBMITTED

These items have been taken under submission by the State Personnel Board at a prior meeting.

(1) CASE NO. 05-3327A

Appeal from dismissal

Classification: Medical Technical Assistant

Department: CA Department of Corrections and Rehabilitation

NO ACTION

B. ORAL ARGUMENTS

NONE

C. CHIEF COUNSEL RESOLUTIONS

NONE

COURT REMANDS

NONE

STIPULATIONS

NONE

D. ADMINISTRATIVE LAW JUDGE'S (ALJ) PROPOSED DECISIONS

The Board Administrative Law Judges conduct evidentiary hearings in appeals that include, but are not limited to, adverse actions, medical terminations, demotions, discrimination, reasonable accommodations, and whistleblower complaints.

PROPOSED DECISIONS

These were ALJ proposed decisions submitted to the Board for the first time.

(1) CASE NO. 07-3138

Appeal from five percent reduction in salary for six months

Classification: Chief Medical Officer

Department: CA Department of Corrections and Rehabilitation

ACTION: The Board adopted the ALJ's Proposed Decision, but will issue a resolution clarifying that the Board does not engage in a mathematical reduction in penalty simply because one charge is not sustained.

(2) CASE NO. 04-2622

Appeal from dismissal

Classification: Officer

Department: CA Highway Patrol

ACTION: The Board adopted the ALJ's Proposed Decision

(3) CASE NO. 07-1695

Appeal from five percent reduction in salary for three months

Classification: Catholic Chaplin

Department: CA Department of Developmental Services

ACTION: The Board adopted the ALJ's Proposed Decision

(4) CASE NO. 07-2964

Appeal from suspension for 45 calendar days

Classification: Psychiatric Technician (Safety)

Department: CA Department of Mental Health

ACTION: The Board adopted the ALJ's Proposed Decision

- (5) **CASE NO. 06-4333**
Appeal from 10 percent reduction in salary for 12 months
Classification: Maintenance Mechanic
Department: CA Department of Corrections and Rehabilitation
ACTION: The Board adopted the ALJ's Proposed Decision
- (6) **CASE NOS. 05-2194 & 06-0396**
Appeal from suspension of ten working days and suspension of twenty working days
Classification: Staff Chemist
Department: CA Department of Toxic Substances Control
ACTION: The Board adopted the ALJ's Proposed Decision
- (7) **CASE NO. 07-4437**
Appeal from involuntary transfer
Classification: Senior Transportation Electrical Engineer (Supervisor)
Department: CA Department of Transportation
ACTION: The Board adopted the ALJ's Proposed Decision
- (8) **CASE NO. 07-2179**
Appeal from rejection during probation
Classification: Psychiatric Technician (Safety)
Department: CA Department of Corrections and Rehabilitation
ACTION: The Board adopted the ALJ's Proposed Decision
- (9) **CASE NO. 07-3177**
Appeal from Letter of Reprimand
Classification: Correctional Officer
Department: CA Department of Corrections and Rehabilitation
ACTION: The Board adopted the ALJ's Proposed Decision
- (10) **CASE NO. 07-1198**
Appeal from demotion
Classification: Business Taxes Compliance Supervisor II
Department: CA State Board of Equalization
ACTION: The Board adopted the ALJ's Proposed Decision

- (11) **CASE NO. 07-2884**
Appeal from a 12 work day suspension
Classification: Parole Agent III
Department: CA Department of Corrections and Rehabilitation
ACTION: The Board adopted the ALJ's Proposed Decision
- (12) **CASE NO. 07-1081**
Appeal from dismissal
Classification: Correctional Officer
Department: CA Department of Corrections and Rehabilitation
ACTION: The Board adopted the Proposed Decision, but reduced the penalty from dismissal to a 15-month suspension
- (13) **CASE NO. 06-4217**
Appeal from dismissal
Classification: Correctional Officer
Department: CA Department of Corrections and Rehabilitation
ACTION: The Board adopted the ALJ's Proposed Decision
- (14) **CASE NO. 07-2966E**
Appeal from denial of discrimination complaint
Classification: Environmental Planner
Department: CA Department of Transportation
ACTION: Submitted
- (15) **CASE NO. 07-2295**
Appeal from suspension for 45 calendar days
Classification: Psychiatric Technician (Safety)
Department: CA Department of Mental Health
ACTION: The Board adopted the ALJ's Proposed Decision

PROPOSED DECISIONS TAKEN UNDER SUBMISSION AT A PRIOR MEETING

NONE

PROPOSED DECISIONS AFTER BOARD REMAND

NONE

PROPOSED DECISIONS AFTER SPB ARBITRATION

NONE

E. PETITIONS FOR REHEARING

ALJ PROPOSED DECISIONS ADOPTED BY THE BOARD

The Board will vote to grant or deny a petition for rehearing filed by one or both parties, regarding a case already decided by the Board.

(1) CASE NOS. 98-4118P & 99-0772P

Appeal from dismissal

Classification: Institution Artist

Department: CA Department of Corrections & Rehabilitation

ACTION: GRANTED in that the typographical error contained in the decision will be corrected. DENIED as to all other matters and no further hearing will be held.

(2) CASE NO. 06-2737P

Appeal from dismissal

Classification: Correctional Sergeant

Department: CA Department of Corrections & Rehabilitation

ACTION: The Board granted the Petition for Rehearing and asked the parties to brief the following issues:

- a) Whether the ALJ's finding were supported by evidence on the record;
- b) Whether the Office of the Inspector General may observe evidentiary hearings involving peace officers employed by the Department of Corrections and Rehabilitation.

(3) CASE NO. 06-2010AP

Appeal from constructive medical termination

Classification: Administrative Support Coordinator II

Department: CA State University, Los Angeles

ACTION: DENIED

(4) CASE NO. 06-0060P

Appeal from dismissal

Classification: Medical Technical Assistant

Department: CA Department of Corrections and Rehabilitation

ACTION: DENIED

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- (5) **CASE NO. 07-0580P**
Appeal from dismissal
Classification: Correctional Officer
Department: CA Department of Corrections and Rehabilitation
ACTION: DENIED
- (6) **CASE NO. 07-1912P**
Appeal from dismissal
Classification: Physician and Surgeon
Department: CA Department of Corrections and Rehabilitation
ACTION: DENIED

WHISTLEBLOWER NOTICE OF FINDINGS

NONE

F. PENDING BOARD REVIEW

These cases were pending preparation of transcripts, briefs, or the setting of oral argument before the Board.

- (1) **CASE NO. 06-3747A**
Appeal from dismissal
Classification: Parole Agent I
Department: CA Department of Corrections and Rehabilitation
Proposed decision rejected January 8, 2008.
Transcript prepared.
Oral argument set for May 12-13, 2008, Sacramento.
NO ACTION
- (2) **CASE NO. 07-2189A**
Appeal from non-punitive termination
Classification: Vocational Instructor (Welding)
Department: CA Department of Corrections and Rehabilitation
Proposed decision rejected March 4, 2008.
Pending transcript.
NO ACTION

17. RESOLUTION EXTENDING TIME PURSUANT TO GOVERNMENT CODE SECTION 18671.1

ACTION: ADOPTED

VOTE: Harrigan, Costigan, Tom – Aye

18. ANNOUNCEMENT OF ACTION TAKEN ON NON-EVIDENTIARY CASES

On April 22, 2008, the Board took the following action on the cases listed, as presented by Elise S. Rose, Chief Counsel, California State Personnel Board.

VOTE: Harrigan, Costigan, Tom – Aye

A. WITHHOLD APPEALS

WITHHOLD FROM CERTIFICATION
CASES HEARD BY A STAFF HEARING OFFICER

NONE

WITHHOLD FROM CERTIFICATION
CASES NOT HEARD BY A STAFF HEARING OFFICER

(1) CASE NO. 06-3743N

Department: CA Department of Corrections and Rehabilitation

Classification: Correctional Officer

Issue: Suitability; past terminations and pending criminal prosecution.

ACTION: DENIED

(2) CASE NO. 06-4422N

Department: CA Department of Corrections and Rehabilitation

Classification: Correctional Officer

Issue: Suitability; negative law enforcement contacts and failure to provide all pertinent information.

ACTION: DENIED

- (3) CASE NO. 06-3563N**
Department: CA Department of Corrections and Rehabilitation
Classification: Correctional Officer
Issue: Suitability; termination within one year and negative employment history.
ACTION: Remanded to staff for further clarification
- (4) CASE NO. 06-4009N**
Department: CA Highway Patrol
Classification: Cadet
Issue: Suitability; failure to disclose accidents, tickets, inappropriate behavior and petty theft.
ACTION: DENIED
- (5) CASE NO. 06-4483N**
Department: CA Department of Corrections and Rehabilitation
Classification: Correctional Officer
Issue: Suitability; failure to disclose high school suspensions, negative employment issues, and a poor driving record.
ACTION: DENIED
- (6) CASE NO. 06-3922N**
Department: CA Department of Corrections and Rehabilitation
Classification: Correctional Officer
Issue: Suitability; negative law enforcement contacts and failure to provide accurate pertinent information.
ACTION: DENIED
- (7) CASE NO. 06-3286N**
Department: CA Department of Corrections and Rehabilitation
Classification: Correctional Officer
Issue: Suitability; omitting pertinent information and a negative driving record.
ACTION: DENIED
- (8) CASE NO. 06-3833N**
Department: CA Department of Corrections and Rehabilitation
Classification: Correctional Officer
Issue: Suitability; failure to provide honest and accurate information in his PHS.
ACTION: DENIED

(9) CASE NO. 06-3520N

Department: CA Department of Corrections and Rehabilitation

Classification: Youth Correctional Counselor

Issue: Suitability; negative law enforcement contacts, illegal drug use.

ACTION: DENIED

B. MEDICAL AND PSYCHOLOGICAL SCREENING APPEALS

CASES HEARD BY A STAFF HEARING OFFICER

NONE

DISMISSED CASES

(1) CASE NO. 07-5483N

Classification: Correctional Officer

Department: CA Department of Corrections & Rehabilitation

**C. EXAMINATION APPEALS, MINIMUM QUALIFICATIONS, MERIT
ISSUE COMPLAINTS**

NONE

**D. RULE 211 APPEALS, RULE 212 OUT OF CLASS APPEALS,
VOIDED APPOINTMENT APPEALS**

NONE

E. REQUEST TO FILE CHARGES CASES

(1) CASE NO. 07-2111N

Department: A member of the public

Classification: N/A

Issue: The charging party requests to file charges for violations of various subsections of Government Code § 19572.

ACTION: DENIED

PETITIONS FOR REHEARING CASES

NONE

19. NON-HEARING AGENDA

A. BOARD ITEMS PRESENTED BY STATE PERSONNEL BOARD OR DEPARTMENT OF PERSONNEL ADMINISTRATION TO ESTABLISH, REVISE OR ABOLISH CLASSIFICATIONS, ALTERNATE RANGE CRITERIA, ETC.

(1) TAX COUNSEL, FRANCHISE TAX BOARD AND BOARD OF EQUALIZATION

Franchise Tax Board and the Board of Equalization propose revisions to the language under minimum qualifications allowing students who are eligible to take the California State Bar examination or are in their final year of law school be admitted to the examination.

ACTION: ADOPTED

B. ABOLISHMENT OF CLASSES THAT HAVE HAD NO INCUMBENTS FOR MORE THAN TWO YEARS. DEPARTMENTS THAT UTILIZE THE CLASS AS WELL AS THE APPROPRIATE UNION HAVE NO OBJECTION TO THE ABOLISHMENT OF THESE CLASSES.

Class Code	Title
• Publications Supervisor Division of Mines and Geology	5607
• Senior Mining Engineer	3774
• State Geologist C.E.A.	3690
• Assistant Chief Division of Industrial Accidents C.E.A.	5842
• State Intergroup Relations Coordinator	9490
• Senior Boating Administrator	1104
• Public Employment Relations Representative	9526
• Assistant Chief, Conservation and Liquidation Division, Department of Insurance	4428
• Chief, Technical Assistance and Analysis Division, Fair Political Practices Commission	5707
• Maritime Vocational Instructor I	6976
• Maritime Vocational Instructor II	6978
• Maritime Vocational Instructor III	6979
• Printing Trades Specialist I (Finishing)	1489
• Printing Trades Specialist II (General)	1499
• Printing Trades Specialist IV	1522

ACTION: ADOPTED

20. STAFF AGENDA ITEMS FOR BOARD INFORMATION

NONE

21. CAREER EXECUTIVE ASSIGNMENT (CEA) CATEGORY ACTIVITY

A. REQUESTS TO ESTABLISH NEW OR REVISE EXISTING CEA POSITIONS CURRENTLY UNDER CONSIDERATION

(1) CHIEF, POLICY MANAGEMENT BRANCH

The CA Office of HIPPA Implementation (CalOHI) proposes the allocation of one position to the CEA Category entitled Chief, Policy Management Branch, CalOHI to provide oversight and policy direction to ensure the Health Insurance Portability and Accountability Act (HIPPA) policy is implemented uniformly statewide.

(2) CHIEF INFORMATION OFFICER

The CA Department of Motor Vehicles proposes the redefinition of one CEA position entitled Chief Information Officer, to provide the overall vision and leadership by developing and managing the DMV's overall information technology, information security and privacy protection programs, governance process, and policy framework to ensure that the DMV's business vision, mission and strategic plans are successful.

(3) CHIEF, ENTERPRISE IT PLANNING, POLICIES & OVERSIGHT OFFICE, OFFICE OF CIO

The CA Department of Motor Vehicles proposes the allocation of one position to the CEA Category, entitled Chief, Enterprise IT Planning, Policies & Oversight Office, Office of CIO to direct the department's IT strategic planning and control functions in keeping with the direction of the Directorate, the CIO and the provisions of the California IT Strategic Plan, along with the department's Strategic Business Plan and Strategic IT Plan.

(4) CHIEF, INFORMATION SYSTEMS DIVISION

The CA Department of Motor Vehicles proposes to reestablish an inactive CEA position, titled Chief, Information Systems Division to establish operational IT policies and standards and will be responsible for the maintenance of all the IT systems, IT services and day-to-day operation of the Information Systems Division.

(5) ASSISTANT SECRETARY FOR EDUCATION AND QUALITY PROGRAMS, CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY

The CA Air Resources Board proposes to redirect the Assistant Secretary for Quality Programs, CEA to Assistant Secretary for Education and Quality Programs, CEA. The position will be the principal advisor on policy, program and management matters regarding education about the environment for California's students. The Assistant Secretary's duties will be expanded to include coordinating and overseeing State programs and activities related to the development, approval, and implementation of public educational curriculum.

(6) CHIEF, OFFICE OF STRATEGIC PLANNING AND POLICY

The CA Department of Mental Health proposes to redirect a CEA position from the Chief, County Finance Program Supervisor to Chief, Office of Strategic Planning and Planning and Policy. The proposed position is responsible for the development, implementation and measurement of the department's strategic plan; the position will direct and oversee the department's efforts to re-engineer its business processes; the position will set statewide policy on issues related to strategic planning.

(7) ASSISTANT GENERAL MANAGER, ADMINISTRATION DIVISION

The CA Prison Industry Authority (CALPIA) proposes to redirect a CEA position from the Chief Assistant General Manager, CEA to Assistant General Manager, Administration, CEA. The proposed position is responsible for directing all administrative and financial functions of the Prison Industry Authority, functions as a key policy advisor to the General Manager on all financial and administrative matters and serves on CALPIA's Executive Staff.

(8) ASSISTANT GENERAL MANAGER, MARKETING DIVISION

The CA Prison Industry Authority (CALPIA) proposes to re-title a CEA position from Assistant General Manager, CEA the Assistant General Manager, Marketing. The proposed position is responsible for the full range of marketing strategies and activities as well as serving as a member of the CALPIA's Executive Staff.

**(9) DEPUTY DIRECTOR, MAINTENANCE SERVICES
BRANCH, FACILITIES MANAGEMENT**

The CA Department of Corrections and Rehabilitation proposes to allocate the above position to the CEA category. The position will be the management expert responsible for providing policy and procedural advice to the Director, Facilities Management; developing and implementing new policy and procedures; advising management on proposed legislation that may impact maintenance services. The Maintenance Services Deputy Director is responsible for building maintenance budgeting, planning and allocation of funds for replacements and repairs by directing the development of a five-year deferred maintenance plan.

**(10) DEPUTY DIRECTOR, ENGINEERING SERVICES,
FACILITIES MANAGEMENT**

The CA Department of Corrections and Rehabilitation proposes to allocate the above position to the CEA category. The position will be the management expert responsible for providing policy and procedural advice to the Director, Facilities Management; developing and implementing new policy and procedures; advising management on proposed legislation that may impact engineering services.

**(11) CHIEF, OFFICE OF HUMAN CAPITAL AND WORKPLACE
INNOVATION**

The CA Department of Toxic Substances Control proposes to allocate the above position to the CEA category. The position is responsible for overseeing the workforce planning, recruitment and examinations, strategic planning, internal communications, performance management, leadership development, training, staff evaluation, and field health and safety functions of the Department. The Chief is part of the management team which is responsible for the development of policy for the department. The incumbent maintains daily contact with the director and executive management staff members to establish policy, develop organizational strategies, and resolve specific issues or programmatic concerns.

**(12) ASSISTANT DEPUTY SECRETARY FOR HUMAN
RESOURCES**

The CA Department of Veterans Affairs proposes to allocate the above position to the CEA category. The position plans, organizes and directs the personnel, training and staff development, selection, classification and pay,

employer/employee relations and health and safety functions. The position directly influences policy decisions and has broad responsibility for policy implementation across multiple programs, in multiple facilities throughout the State and agency wide.

(13) ASSISTANT DEPUTY SECRETARY FOR FINANCE

The CA Department of Veterans Affairs proposes to allocate the above position to the CEA category. The position plans, organizes and directs the financial management functions and directly influences policy decisions and has broad responsibility for policy implementation across multiple programs, in multiple facilities throughout the State, and agency wide.

(14) ASSISTANT DEPUTY SECRETARY, CAPITAL ASSETS AND FACILITIES MANAGEMENT

The CA Department of Veterans Affairs proposes to allocate the above position to the CEA category. The position plans, organizes and directs capital development and facilities management functions and directly influences policy decisions and has broad responsibility for policy implementation across multiple programs, in multiple facilities throughout the State, and agency-wide.

(15) ASSISTANT DEPUTY DIRECTOR, CONSOLIDATED CARE CENTERS

The CA Department of Corrections and Rehabilitation proposes to allocate the above position to the CEA category. The position has full management responsibility for developing and implementing statewide operating policies and activation standards and the overall strategy and policy direction for consolidating the mental health program for adult inmates. The Assistant Deputy Director provides policy direction and expert input to the entire Department, control agencies, and others in meeting legal mandates required under *Coleman* and state licensing laws.

(16) CHIEF OF BUDGETS

The CA Department of Forestry and Fire Protection's (CA FIRE) proposes to allocate the above position to the CEA category. The position manages sensitive and controversial programmatic and budgetary issues, influences internal and external policy makers regarding the development of new programs and the fiscal impact of new fees/revenue sources, advises control agencies on the implications of policy

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decision on the department and to the state, reports to the Director regarding budgetary actions taken by control agencies, and recommends appropriate actions.

(17) CHIEF, DIVISION OF PLANNING AND LOCAL ASSISTANCE

The CA Department of Water Resources proposes to re-establish the above position to the CEA category. The position is responsible for managing California's water resources planning efforts providing support at the local and regional level through technical and financial assistance, information collection and dissemination, resources evaluation, and development and implementation of the California Water Plan and Integrated Regional Water Management Plans.

(18) AGENCY INFORMATION OFFICER (AIO)

The CA Labor and Workforce Development Agency proposes to establish the above position to the CEA category. The position is responsible for overseeing the information technology functions and governance policy development within the Agency. The AIO is responsible for leveraging and coordinating equipment, staffing, telecommunications and technology to maximize the use of technology and telecommunications resources throughout the Agency.

ACTION: NOTED

B. EXECUTIVE OFFICER DECISIONS REGARDING REQUESTS TO ESTABLISH NEW OR REVISE EXISTING CEA POSITIONS

(1) CHIEF INFORMATION OFFICER

The CA Department of Corrections and Rehabilitation, PLATA Personnel Service's request to allocate the above position was approved effective March 12, 2008.

(2) CHIEF, INTERNAL AUDITS

The CA Department of Health Care Services' request to allocate the above position was approved effective March 5, 2008.

(3) DIRECTOR OF COMMUNICATIONS

The CA Department of Corrections and Rehabilitation, Receiver's Office's request to allocate the above position was approved effective March 17, 2008.

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(4) PRESIDING ADMINISTRATIVE LAW JUDGE

The CA State Personnel Board's request to allocate the above position was approved effective March 14, 2008.

ACTION: NOTED

22. WRITTEN STAFF REPORT FOR BOARD INFORMATION

NONE

23. PRESENTATION OF EMERGENCY ITEMS AS NECESSARY

NONE

24. BOARD ACTIONS ON SUBMITTED ITEMS

These items have been taken under submission by the State Personnel Board at a prior meeting and may have been before the Board for a vote at this meeting.

(1) PERSONAL SERVICES CONTRACT NO. 04-03

Appeal of the California State Employees Association from the Executive Officer's April 15, 2004, Approval of Master Contracts between the California Department of Corrections and Staffing Solutions, CliniStaff, Inc., Staff USA, Inc., CareerStaff Unlimited, MSI International, Inc., Access Medical Staffing & Service, Drug Consultants, Infinity Quality Services Corporation, Licensed Medical Staffing, Inc., Morgan Management Services, Inc., Asereth Medical Services, and PrideStaff dba Rx Relief.

(Hearing held on August 12, 2004.)

NO ACTION

(2) CASE NO. 05-3327A

Appeal from dismissal. Medical Technical Assistant. CA Department of Corrections and Rehabilitation.

(Oral argument held March 4, 2008.)

NO ACTION

(3) CASE NO. 07-0850A.

Appeal from non-punitive termination. Clinical Social Worker. CA Department of Corrections and Rehabilitation.

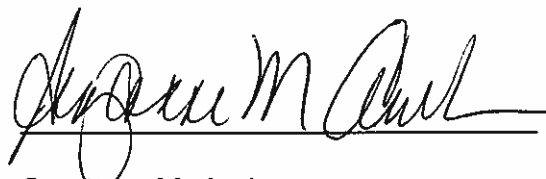
(Oral argument held April 7, 2008.)

NO ACTION

A D J O U R N M E N T

I hereby certify that the State Personnel Board made and adopted the preceding resolution at its meeting held on May 27, 2008.

VOTE: Harrigan, Costigan, Sheehan, Tom – Aye

A handwritten signature in black ink, appearing to read 'Suzanne M. Ambrose', written over a horizontal line.

Suzanne M. Ambrose
Executive Officer
California State Personnel Board